

EIGHTY-FOURTH DAY

(Thursday, June 15, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gilmer
Allison	Goodman
Alsup	Gordon, Mrs.
Anderson	Hale
Bailey	Hamilton
Baker	Hankamer
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bell	Harp
Blankenship	Harper
Boethel	Harrell of Bastrop
Bond	Harrell of Lamar
Boyd	Harris
Boyer	Hartzog
Bradbury	Holland
Bradford	Howard
Bray	Howington
Bridgers	Hull
Broadfoot	Hunt
Brown of Cherokee	Isaacks
Brown	Johnson of Ellis
of Nacogdoches	Johnson of Tarrant
Bundy	Keith
Burkett	Kennedy
Burney	Kern
Cauthorn	Kerr
Celaya	Kersey
Chambers	Kinard
Clark	King
Cleveland	Langdon
Cockrell	Lehman
Coleman	Leonard
Colquitt	Leyendecker
Colson, Mrs.	Little
Cornett	Lock
Corry	Loggins
Crossley	London
Daniel	Mays
Davis of Jasper	McAlister
Davis of Upshur	McDaniel
Dean	McDonald
Derden	McFarland
Dickson	McMurry
Dickson	McNamara
Donaghey	Mohrmann
Dowell	Monkhouse
Dwyer	Montgomery
Faulkner	Morris
Felty	Newell
Ferguson	Nicholson
Fielden	Oliver
Fuchs	Pace
Calbreath	Petsch

Pevehouse	Stinson
Piner	Stoll
Pope	Talbert
Ragsdale	Tarwater
Reader of Bexar	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Rhodes	Turner
Riviere	Vale
Roach	Vint
Roberts	Voigt
Robinson	Waggoner
Russell	Weldon
Schuenemann	Wells
Segrist	Westbrook
Shell	White
Skiles	Wilson
Smith of Frio	Winfree
Smith of Hopkins	Wood
Smith	Worley
of Matagorda	Wright
Spencer	

Absent—Excused

Allen	Heflin
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A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, in all our ways we acknowledge Thee. As we live and move in Thy presence may we realize more and more our responsibility unto Thee and our privilege in serving Thee. Do Thou grant to be with our fellow Member who is ill, and may he soon return to his duties. May Thy will be done in us today. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Heflin temporarily for today, on motion of Mr. Hardeman.

Mr. Allison temporarily for today, and for the balance of week, on motion of Mr. Boyer.

Mr. Harris temporarily for today, and the balance of the week, on motion of Mr. Kerr.

The following Members were granted leave of absence on account of illness:

Mr. Allen for today, on motion of Mr. Stoll.

Mr. Dwyer temporarily for today, on motion of Mr. Anderson.

HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Holland:

H. B. No. 1145, A bill to be entitled "An Act prescribing the methods by which fish may be taken from the fresh waters, lakes and streams of Bell County, permitting the seining of rough fish during the months of July and August with a seine having a 2-inch mesh or more, creating a closed season for the taking of bass, perch, crappie or white perch, and catfish during the months of March and April, regulating the size of fish that may be taken, making it unlawful to sell, offer for sale, or barter any fish taken from the fresh waters, lakes or streams of Bell County, prescribing a closed season on squirrel to conform to the General Law January, February, March and April, closing the season on laws in conflict, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Riviere asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1146.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Riviere:

H. B. No. 1146, A bill to be entitled "An Act providing that Acts, 1939, Forty-sixth Legislature, Regular Session, House Bill No. 49, shall not have or be considered as having the effect of altering, modifying, or repealing in whole or in part any of the provisions of Acts, 1929, Forty-first Legislature, First Called Session, page 255, Chapter 105, Section 1, as amended by Acts, 1931, Forty-second Legislature, page 307, Chapter 181, Section 1, but such provisions shall continue in full force and effect."

Referred to the Committee on Judiciary.

MOTION TO INTRODUCE CERTAIN BILL

Mr. Hale moved to introduce the following bill:

By Mr. Hale:

H. B. No. _____, A bill to be entitled "An Act to liberalize Old Age Assistance to amend Section 3 of Article 2 of Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session; to amend Section 4 of Article 2 of Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session; and to repeal Senate Bill No. 9, Acts of the Forty-sixth Legislature, Regular Session."

The motion was lost by the following vote:

Yeas—61

Allison	McAlister
Baker of Grayson	McDaniel
Bradbury	McDonald
Brown of Cherokee	McMurry
Burney	Mohrmann
Chambers	Monkhouse
Cleveland	Oliver
Cockrell	Pevehouse
Coleman	Ragsdale
Colson, Mrs.	Reader of Erath
Cornett	Reed
Daniel	Rhodes
Dickison	Roach
Felty	Roberts
Ferguson	Robinson
Fielden	Russell
Fuchs	Segrist
Gilmer	Skiles
Hale	Smith of Hopkins
Harper	Spencer
Harrell of Bastrop	Stinson
Harris	Talbert
Holland	Taylor
Isaacks	Tennant
Keith	Vale
Kennedy	Waggoner
Kern	Weldon
King	Westbrook
Langdon	White
Leyendecker	Worley
Lock	

Nays—63

Alsup	Boyer
Bailey	Bradford
Baker	Broadfoot
of Fort Bend	Brown
Bell	of Nacogdoches
Boethel	Bundy
Bond	Burkett
Boyd	Cauthorn

Celaya	Lehman
Clark	Little
Colquitt	Mays
Corry	McFarland
Crossley	McNamara
Davis of Jasper	Montgomery
Davis of Upshur	Morris
Dickson	Newell
Dowell	Nicholson
Faulkner	Pace
Galbreath	Petsch
Goodman	Piner
Gordon, Mrs.	Pope
Hankamer	Riviere
Hardeman	Smith of Frio
Hardin	Stoll
Harp	Tarwater
Hartzog	Thornberry
Howington	Thornton
Hunt	Voigt
Johnson of Ellis	Wells
Johnson of Tarrant	Wilson
Kerr	Wood
Kersey	Wright
Kinard	

Absent

Anderson	Loggins
Blankenship	London
Bray	Reader of Bexar
Bridgers	Reaves
Dean	Schuenemann
Derden	Shell
Donaghey	Smith
Hamilton	of Matagorda
Harrell of Lamar	Turner
Howard	Vint
Hull	Winfree
Leonard	

Absent—Excused

Allen	Heflin
Dwyer	

TO PROVIDE FOR CERTAIN TAX INVESTIGATING COMMITTEE

Mr. Bray offered the following resolution:

H. C. R. No. 165, To provide for certain tax investigating committee.

Whereas, The great State of Texas has from its inception been an agricultural State; and

Whereas, In an agricultural economy land is the primary medium of value; and

Whereas, Taxation always seeks the medium of value; and

Whereas, Texas has progressed, in part at least, to an industrial economy; and

Whereas, This progress has been reflected in the economically logical tax on industry; and

Whereas, The entire tax structure of the State is founded on these progressive changes in the character of our economic life; and

Whereas, Such tax structure is figuratively riddled with tax inequalities and injustices; and

Whereas, The most casual of students of economics are intimately aware of the fact that equitable taxation should be based on a correlative percentage of wealth, income, and sales; now, therefore, be it

Resolved, That the House of Representatives, the Senate concurring, That a Tax Investigating Committee, composed of five (5) Members of the House appointed by the Speaker and five (5) Members of the Senate appointed by the President of the Senate, be appointed as an Interim Committee to study and recommend a complete tax revision program for the State of Texas to the end that present injustices and inequalities shall be eliminated and that every citizen of Texas, enjoying the benefits of government, shall pay his apportionate share of his costs of that government; and be it further

Resolved, That the expenses of such an Investigating Committee be paid out of the Contingent Expenses of this Legislature.

The resolution was read second time.

Mr. Bond moved to table the resolution.

The motion to table prevailed.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 179, To grant A. J. Clingan permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

By unanimous consent of the House, the following amendment, by Mr. Kinard, was ordered adopted to the resolution:

Amend House Concurrent Resolution No. 179, by changing the words,

"and dangers" to, "for damages," in the fifth line of the third paragraph.

The resolution, as amended, was then adopted.

SENATE BILL NO. 155 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 155, A bill to be entitled "An Act providing that it shall be unlawful to hunt, take, kill, pursue, catch, possess, buy or sell any game bird, game animal, fish, shrimp, oyster, crabs, diamond back terrapin, furbearing animal, or attempt to do so by means, method or device, other than such as may hereafter be permitted; repealing all laws relating thereto, excepting certain laws, and declaring an emergency."

The bill having heretofore been read second time with committee amendment offered by Mr. Hartzog, pending.

By unanimous consent of the House, the following amendment was ordered adopted to the committee amendment:

Amend committee substitute No. 1, by adding at the end of Section 2, on page 2, the following:

"Provided that nothing contained in Section 1 and 2 of this Act shall apply to any of the following named counties: Morris, Titus, Brown, Coleman, Lamar, Sabine, San Augustine, Gonzales, Fayette, Barnett, Mills, Comanche, Austin, Colorado, Hopkins, Henderson, Camp, Upshur, Walker, San Jacinto, Wharton, Jackson, Bastrop, Freestone, Jasper, Newton, Panola, Hood, Erath, Webb, Zapata, Milam, Burleson, Lee, Lavaca, Limestone, Callahan, Eastland, Shelby, Van Zandt, Dickens, Kent, Stonewall, Scurry, Borden, Bailey, Parmer, Lamb, Castro, Hale, Swisher, Floyd, Briscoe, Harrison, Andrews, Crane, Ector, Jeff Davis, Loving, Martin, Midland, Pecos, Presidio, Reeves, Upton, Ward, Winkler, Grayson, Lampasas, San Saba, McCulloch, Rusk, Franklin, Delta, Rains, Hunt, Montague, Tom Green, Sterling, Reagan, Glasscock, Howard, Irion, Childress, Hall, Cottle, Motley, Cooke, Jefferson, Orange, Galveston, Chambers, Anderson, Collin, Williamson, Madison, Leon, Mitchell, Angelina, Tyler, Cherokee, Liberty, Hardin,

Comal, Calhoun, Dimmitt, Medina, Uvalde, Zavala, Ellis, Frio, Atascosa, La Salle, Live Oak, McMullen, Falls, Denton, Young, Jack, Kaufman, Montgomery, Brazos, Grimes, Robertson, Dallas, Parker, Taylor, Cass, Stephens, Palo Pinto."

FIELDEN.

(Mr. Baker of Grayson in the Chair.)

Question recurring on the committee amendment, as amended, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 155 was then passed to third reading.

(Speaker in the Chair.)

MOTION TO PLACE SENATE BILL NO. 155 ON THIRD READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 155 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—93

Alsup	Derden
Anderson	Dickison
Baker	Dickson
of Fort Bend	Donaghey
Bell	Dowell
Blankenship	Faulkner
Boethel	Felty
Bradbury	Fuchs
Bradford	Gilmer
Bray	Goodman
Bridgers	Gordon, Mrs.
Broadfoot	Hamilton
Brown of Cherokee	Hardeman
Brown	Hardin
of Nacogdoches	Harp
Bundy	Harper
Burney	Harrell of Bastrop
Cauthorn	Harris
Celaya	Hartzog
Chambers	Holland
Clark	Howard
Cleveland	Hull
Cockrell	Hunt
Coleman	Isaacks
Colquitt	Johnson of Ellis
Cornett	Kennedy
Dean	Kersey

Kinard	Robinson
King	Russell
Leonard	Schuenemann
Leyendecker	Segrist
Lock	Shell
McAlister	Smith of Frio
McDaniel	Smith
McDonald	of Matagorda
McFarland	Stinson
McNamara	Talbert
Monkhouse	Taylor
Montgomery	Tennant
Nicholson	Thornton
Petsch	Turner
Pevehouse	Vale
Pope	Waggoner
Ragsdale	Wells
Reader of Bexar	White
Reader of Erath	Wilson
Reed	Winfree
Roberts	Worley

Nays—42

Allison	Little
Bailey	London
Bond	Mays
Boyd	Mohrmann
Boyer	Morris
Burkett	Newell
Crossley	Oliver
Daniel	Pace
Davis of Jasper	Piner
Davis of Upshur	Rhodes
Ferguson	Roach
Fielden	Smith of Hopkins
Galbreath	Spencer
Hankamer	Stoll
Harrell of Lamar	Tarwater
Howington	Thornberry
Keith	Vint
Kern	Voigt
Kerr	Weldon
Langdon	Westbrook
Lehman	Wright

Absent

Baker of Grayson	McMurry
Colson, Mrs.	Reaves
Corry	Riviere
Hale	Skiles
Johnson of Tarrant	Wood
Loggins	

Absent—Excused

Allen	Heflin
Dwyer	

RELATIVE TO SENATE JOINT
RESOLUTION NO. 12

Mr. Roach raised the following point of order:

Mr. Speaker:

I raise the following point of order:
In Article 3, Section 34, page 20, of

the 1937 Manual, there appears this language: "After a resolution has been acted on and defeated, no resolution containing the same substance shall be considered at the same session."

Senate Joint Resolution No. 12, containing the same substance as appears in the resolution now submitted, was considered on third reading and was defeated by vote of 91-55 on date of June 8, as evidenced by House Journal, page 3936.

My point is that this resolution cannot be considered again at this session, and I respectfully ask that you hold with me.

The Speaker overruled the point of order.

Mr. Isaacks raised the following point of order:

Mr. Speaker:

I raise the point of order, that Senate Joint Resolution No. 12 cannot under the Constitution be further considered by this House:

(a) The substance of Senate Joint Resolution No. 12 is the same as that contained in House Joint Resolution No. 16, and House Joint Resolution No. 16 has been defeated by a majority vote in this House.

(b) Senate Joint Resolution 12 has heretofore been considered by this House, engrossed by a majority vote, and on a final vote was defeated, having failed to receive the Constitutional vote required of two-thirds of all the Members elected.

Section 34, Article 3, of Constitution in part reads as follows:

"After a resolution has been acted on and defeated, no resolution containing the same substance shall be considered at the same session."

The Speaker overruled the point of order.

Mr. Thornton moved that all necessary Rules be suspended, in order that a motion might be made to reconsider the vote by which Senate Joint Resolution No. 12 heretofore failed to pass.

The roll of the House was called, on motion by Mr. Thornton, and the vote announced, as follows: Yeas, 93; Nays, 53.

Mr. Lehman requested a verification of the vote.

Mr. Davis of Upshur moved a call of the House, pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—91

Allison	King
Alsup	Lehman
Anderson	Leonard
Baker of Grayson	Little
Bond	Lock
Boyer	Loggins
Bradford	McAlister
Bray	McDaniel
Broadfoot	McDonald
Brown of Cherokee	McFarland
Bundy	McMurry
Burkett	McNamara
Celaya	Monkhouse
Chambers	Montgomery
Clark	Newell
Cleveland	Nicholson
Colquitt	Oliver
Colson, Mrs.	Pace
Corry	Petsch
Crossley	Pevehouse
Davis of Jasper	Pope
Dean	Ragsdale
Dickson	Reader of Bexar
Donaghey	Reed
Dwyer	Rhodes
Faulkner	Roberts
Felty	Schuenemann
Ferguson	Segrist
Fuchs	Shell
Gilmer	Smith of Frio
Goodman	Smith of Hopkins
Hale	Smith
Hankamer	of Matagorda
Hardin	Spencer
Harp	Stinson
Harper	Talbert
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Hartzog	Thornton
Howard	Turner
Howington	Vale
Hull	Voigt
Johnson of Ellis	Westbrook
Johnson of Tarrant	Wilson
Kennedy	Worley
Kinard	Wright

Nays—56

Bailey	Brown
Baker	of Nacogdoches
of Fort Bend	Burney
Bell	Cauthorn
Blankenship	Cockrell
Boethel	Coleman
Boyd	Cornett
Bradbury	Daniel
Bridgers	Davis of Upshur

Derden	Mohrmann
Dickison	Morris
Dowell	Piner
Fielden	Reader of Erath
Galbreath	Reaves
Gordon, Mrs.	Riviere
Hamilton	Roach
Hardeman	Robinson
Harris	Russell
Holland	Skiles
Hunt	Stoll
Isaacks	Tarwater
Keith	Thornberry
Kern	Vint
Kerr	Waggoner
Kersey	Weldon
Langdon	Wells
Leyendecker	White
London	Winfree
Mays	Wood

Absent—Excused

Allen	Heflin
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The Speaker announced that the motion to suspend the Rules was lost (not receiving the necessary two-thirds vote.)

REASONS FOR VOTE.

I voted "no" on motion to suspend the rules, for the following reason: I have voted for SJR 12 for 5 times. I thought it was killed each time, therefore, I think it unfair to continue to try to force this Legislature to take something they do not want.

KERSEY.

Although I am opposed to inserting any tax measure in the Constitution, I voted to suspend the rules to bring up Senate Joint Resolution No. 12 because (1) all other tax bills had been killed, and (2) my pledge to the people of my county that I would try to settle the question of Old Age Assistance once and for all.

Not knowing how the majority of the people of my district feel concerning this amendment, I am giving them the right to express their opinions of voting for or against this amendment at the election this summer.

FAULKNER.

MOTION TO PLACE HOUSE BILL NO. 1138 ON SECOND READING

Mr. Alsup moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time,

H. B. No. 1138, A bill to be entitled "An Act to suspend the operation of the provisions of Senate Bill No. 9, Acts of the Forty-sixth Legislature, Regular Session, 1939, until 1939, and declaring an emergency."

Mr. Davis of Upshur moved that all necessary Rules be suspended in order that Mr. Alsup may discuss the above motion.

The motion to suspend the Rules prevailed by the following vote:

Yeas—97

Allison	Kerr
Alsup	Kinard
Anderson	King
Baker	Langdon
of Fort Bend	Lehman
Ball	Leyendecker
Boethel	Lock
Boyd	Loggins
Boyer	London
Bradbury	Mays
Bradford	McAlister
Bray	McDonald
Bridgers	Mohrmann
Brown of Cherokee	Monkhouse
Brown	Montgomery
of Nacogdoches	Morris
Cauthorn	Nicholson
Celaya	Petsch
Chambers	Pevehouse
Cleveland	Piner
Colquitt	Reader of Bexar
Colson, Mrs.	Reaves
Daniel	Reed
Dean	Riviere
Derden	Roach
Dickison	Roberts
Dowell	Robinson
Faulkner	Russell
Ferguson	Schuenemann
Fuchs	Segrist
Galbreath	Shell
Hamilton	Skiles
Hardeman	Smith of Frio
Harp	Smith
Harper	of Matagorda
Harrell of Bastrop	Spencer
Harris	Stinson
Hartzog	Tarwater
Holland	Taylor
Howard	Tennant
Howington	Thornberry
Hull	Thornton
Hunt	Turner
Isaacks	Vale
Johnson of Ellis	Vint
Keith	Voigt
Kennedy	Waggoner
Kern	Weldon

Wells
White

Winfree
Worley

Nays—26

Bailey	Johnson of Tarrant
Blankenship	McFarland
Bundy	McMurry
Burkett	McNamara
Coleman	Oliver
Cornett	Pope
Corry	Reader of Erath
Davis of Jasper	Rhodes
Dickson	Smith of Hopkins
Donaghey	Stoll
Hale	Talbert
Hardin	Westbrook
Harrell of Lamar	Wilson

Absent

Baker of Grayson	Gordon, Mrs.
Bond	Hankamer
Broadfoot	Kersey
Burney	Leonard
Clark	Little
Cockrell	McDaniel
Crossley	Newell
Davis of Upshur	Pace
Felty	Ragsdale
Fielden	Wood
Gilmer	Wright
Goodman	

Absent—Excused

Allen	Heflin
Dwyer	

Mr. Hardin raised a point of order, on further consideration of the above bill, by Mr. Alsup, at this time, on the ground that a motion to consider a House bill on a Senate bill day is out of order.

The Speaker sustained the point of order.

MESSAGE FROM THE SENATE

Austin, Texas, June 15, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 196, That the Joint Rules of the House and Senate be suspended, and said Rules are hereby suspended, so that the House can take up and consider today and tomorrow, June 14th and 15th, House Bill No. 1031, the deficiency Rural Aid Appropriation Bill for the 1938-1939 school year.

The Senate has passed

H. B. No. 231, A bill to be entitled "An Act to protect trade-mark owners, distributors and the general public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand, or name, and to facilitate fair trade; defining certain terms; providing a saving clause, and declaring an emergency." (With amendments.)

The Senate has refused to concur in House amendments to Senate Bill No. 179, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Metcalfe, Shivers, Small, Brownlee and Hill.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 231 WITH SENATE AMENDMENTS

Mr. Smith of Matagorda called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 231, A bill to be entitled "An Act to protect trade-mark owners, distributors and the general public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand, or name, and to facilitate fair trade; defining certain terms; providing a saving clause, and declaring an emergency."

Mr. Smith of Matagorda moved that the House concur in the Senate amendments.

Mr. Mays moved that further consideration of House Bill No. 231 be postponed until next Monday, and that the bill, as amended by the Senate be printed in the Journal.

Mr. Smith of Matagorda moved to table the motion by Mr. Mays.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—52

Baker of Grayson Boethel
Bell Boyd

Boyer	Little
Bradbury	Lock
Bradford	McAlister
Bridgers	McDonald
Brown of Cherokee	McNamara
Cauthorn	Morris
Celaya	Newell
Clark	Nicholson
Cleveland	Pevehouse
Coleman	Piner
Colquitt	Reader of Bexar
Dickison	Reader of Erath
Dickson	Reed
Faulkner	Riviere
Fielden	Robinson
Goodman	Shell
Hardin	Smith
Hartzog	of Matagorda
Holland	Tarwater
Hull	Thornberry
Johnson of Ellis	Thornton
Johnson of Tarrant	Vale
Keith	Wells
Kennedy	Wilson
Langdon	

Nays—69

Alsup	Kersey
Bailey	King
Baker	Lehman
of Fort Bend	Leyendecker
Bond	Loggins
Bray	Mays
Broadfoot	McFarland
Brown	McMurry
of Nacogdoches	Mohrmann
Bundy	Montgomery
Burkett	Oliver
Corry	Pace
Crossley	Petsch
Daniel	Pope
Davis of Jasper	Rhodes
Davis of Upshur	Roach
Dean	Roberts
Derden	Russell
Dowell	Schuenemann
Felty	Segrist
Ferguson	Smith of Hopkins
Galbreath	Stinson
Gordon, Mrs.	Stoll
Hale	Talbert
Hamilton	Taylor
Hankamer	Tennant
Hardeman	Turner
Harp	Vint
Harper	Voigt
Harrell of Lamar	Waggoner
Howard	Weldon
Howington	Westbrook
Hunt	White
Isaacks	Wood
Kern	Wright
Kerr	

Present—Not Voting

Spencer

Absent

Anderson	Kinard
Blankenship	Leonard
Burney	London
Chambers	McDaniel
Cockrell	Monkhouse
Colson, Mrs.	Ragsdale
Cornett	Reaves
Donaghey	Skiles
Fuchs	Smith of Frio
Gilmer	Winfree
Harrell of Bastrop	Worley

Absent—Excused

Allen	Harris
Allison	Heflin
Dwyer	

Mr. Keith moved, as a substitute motion, that further consideration of House Bill No. 231 be postponed until 11:30 o'clock a. m., tomorrow.

Mr. Mays moved to table the substitute motion by Mr. Keith.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—61

Bailey	Johnson of Ellis
Broadfoot	Johnson of Tarrant
Brown	Kern
of Nacogdoches	Kersey
Chambers	King
Corry	Lehman
Crossley	Leyendecker
Daniel	Lock
Davis of Jasper	Mays
Davis of Upshur	McFarland
Dean	McMurry
Dowell	Mohrmann
Felty	Montgomery
Ferguson	Newell
Fuchs	Oliver
Galbreath	Pace
Gordon, Mrs.	Petsch
Hale	Pope
Hankamer	Rhodes
Hardeman	Roach
Harp	Roberts
Harper	Segrist
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Stinson
Howard	Talbert
Howington	Tarwater
Hunt	Taylor
Isaacks	Tennant

Turner
Waggoner
Westbrook

Wood
Worley
Wright

Nays—61

Alsup	Keith
Baker	Kennedy
of Fort Bend	Kerr
Baker of Grayson	Langdon
Bell	Little
Boethel	Loggins
Bond	McAlister
Boyd	McDonald
Boyer	McNamara
Bradbury	Morris
Bradford	Nicholson
Bray	Pevehouse
Bridgers	Piner
Brown of Cherokee	Reader of Bexar
Bundy	Reader of Erath
Burney	Riviere
Cauthorn	Robinson
Celaya	Russell
Clark	Shell
Cleveland	Skiles
Coleman	Smith
Derden	of Matagorda
Dickison	Stoll
Dickson	Thornberry
Faulkner	Thornton
Fielden	Vale
Goodman	Vint
Hamilton	Voigt
Hardin	Wells
Hartzog	White
Holland	Wilson
Hull	

Present—Not Voting

Spencer

Weldon

Absent

Anderson	Leonard
Blankenship	London
Burkett	McDaniel
Cockrell	Monkhouse
Colquitt	Ragsdale
Colson, Mrs.	Reaves
Cornett	Reed
Donaghey	Schuenemann
Gilmer	Smith of Frio
Kinard	Winfree

Absent—Excused

Allen	Harris
Allison	Heflin
Dwyer	

Question—Shall the substitute motion by Mr. Keith prevail?

HOUSE BILL NO. 1031 ON SECOND
READING

Mr. Lock moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, House Bill No. 1031.

The motion prevailed by the following vote:

Yeas—102

Allison	Kern
Alsup	Kersey
Bailey	King
Baker	Langdon
of Fort Bend	Lehman
Baker of Grayson	Leonard
Bell	Leyendecker
Boyd	Little
Boyer	Lock
Bradbury	Loggins
Bridgers	Mays
Broadfoot	McDonald
Brown of Cherokee	McFarland
Brown	McMurry
of Nacogdoches	Mohrmann
Bundy	Monkhouse
Burney	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Oliver
Cockrell	Face
Coleman	Pevehouse
Colson, Mrs.	Piner
Crossley	Reader of Erath
Daniel	Reaves
Davis of Jasper	Reed
Davis of Upshur	Rhodes
Derden	Roach
Dickison	Roberts
Dickson	Russell
Dowell	Segrist
Faulkner	Skiles
Ferguson	Smith of Frio
Fielden	Smith of Hopkins
Fuchs	Smith
Galbreath	of Matagorda
Gordon, Mrs.	Spencer
Hale	Stinson
Hamilton	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Hartzog	Turner
Holland	Weldon
Howard	Wells
Howington	Westbrook
Hull	White
Hunt	Wilson
Isaacks	Winfree
Johnson of Ellis	Worley
Kennedy	

Nays—23

Boethel	McDaniel
Bond	McNamara
Bradford	Nicholson
Bray	Riviere
Cauthorn	Robinson
Colquitt	Schuenemann
Corry	Thornton
Hankamer	Vale
Hardeman	Vint
Keith	Voigt
Kerr	Wood
McAlister	

Absent

Anderson	Johnson of Tarrant
Blankenship	Kinard
Burkett	London
Celaya	Petsch
Cornett	Pope
Dean	Ragsdale
Donaghey	Reader of Bexar
Felty	Shell
Gilmer	Waggoner
Goodman	Wright

Absent—Excused

Allen	Harris
Dwyer	Heflin

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1031, A bill to be entitled "An Act appropriating the sum of One Million, Two Hundred Seventy-eight Thousand, Nine Hundred Seventy-eight (\$1,278,978.00) Dollars as a supplement to the equalization appropriations for the biennium as passed by the Forty-fifth and Forty-sixth Legislature, provided no school shall benefit hereunder that has paid its public funds to any person for securing legislative aid; providing the funds herein appropriated are to be expended in accordance with the provisions of this Act; providing the funds herein appropriated are to be prorated on percentage basis to those schools having had payments made on a percentage basis, to make the grants of teachers' salaries and of transportation aid, each as nearly as possible one hundred (100%) per cent; providing no school shall receive reimbursement which was not approved for payment prior to the passage of this Act, providing a penalty for violating the provisions of this Act; setting aside the sum of Eight Hundred Fourteen Thousand, Seven Hundred Sixty-nine (\$814,769.00)

Dollars for salary aid; Four Hundred Sixty-three Thousand, Two Hundred Nine (\$463,209.00) Dollars for transportation; One Thousand (\$1,000.00) Dollars for administration, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

**MOTION TO PLACE HOUSE BILL
NO. 1031 ON THIRD
READING**

Mr. Lock moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1031 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—105

Allison	Hale
Alsup	Hamilton
Bailey	Hardeman
Baker	Hardin
of Fort Bend	Harp
Baker of Grayson	Harper
Bell	Harrell of Bastrop
Blankenship	Harrell of Lamar
Boyd	Holland
Boyer	Howington
Bradbury	Hull
Bridgers	Hunt
Broadfoot	Isaacks
Brown of Cherokee	Johnson of Ellis
Brown	Johnson of Tarrant
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Celaya	King
Chambers	Langdon
Clark	Lehman
Cleveland	Leonard
Cockrell	Leyendecker
Coleman	Lock
Colson, Mrs.	Loggins
Crossley	McDonald
Daniel	McMurry
Davis of Jasper	Mohrmann
Davis of Upshur	Monkhouse
Derden	Montgomery
Dickison	Morris
Dickson	Newell
Dowell	Oliver
Faulkner	Pace
Ferguson	Pevehouse
Fielden	Piner
Fuchs	Pope
Galbreath	Reader of Erath
Goodman	Reaves

Rhodes	Talbert
Riviere	Tarwater
Roach	Taylor
Roberts	Tennant
Russell	Thornberry
Segrist	Turner
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	Westbrook
of Matagorda	White
Spencer	Wilson
Stinson	Winfree
Stoll	Worley

Nays—26

Boethel	McDaniel
Bond	McFarland
Bradford	McNamara
Bray	Nicholson
Cauthorn	Petsch
Colquitt	Robinson
Corry	Schuenemann
Gordon, Mrs.	Thornton
Hankamer	Vale
Hartzog	Vint
Howard	Voigt
Little	Wood
McAlister	Wright

Absent

Anderson	Kinard
Cornett	London
Dean	Mays
Donaghey	Ragsdale
Felty	Reader of Bexar
Gilmer	Reed
Keith	Shell

Absent—Excused

Allen	Harris
Dwyer	Heflin

REQUEST OF SENATE GRANTED

On motion of Mr. Hardeman, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 179.

**TO SUSPEND CERTAIN JOINT
RULES**

Mr. Alsup offered the following resolution:

H. C. R. No. 197, To suspend certain Joint Rules.

Be It Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the two Houses be suspended, and they are hereby suspended, in order that the

House may take up for consideration House Bill No. 1138, and consider same until finally disposed of.

The resolution was read second time.

The resolution was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—77

Allison	Hull
Alsup	Hunt
Baker	Johnson of Ellis
of Fort Bend	Kennedy
Baker of Grayson	Kersey
Boethel	Langdon
Bond	Leyendecker
Boyd	Lock
Bradbury	Loggins
Bradford	Mays
Bray	McAlister
Brown of Cherokee	Monkhouse
Brown	Morris
of Nacogdoches	Newell
Bundy	Nicholson
Burney	Reed
Cauthorn	Roberts
Chambers	Robinson
Cleveland	Russell
Cockrell	Schuenemann
Colquitt	Segrist
Colson, Mrs.	Shell
Daniel	Skiles
Davis of Jasper	Smith
Davis of Upshur	of Matagorda
Derden	Spencer
Dowell	Stinson
Felty	Talbert
Ferguson	Tarwater
Fielden	Taylor
Fuchs	Thornberry
Galbreath	Thornton
Gordon, Mrs.	Turner
Hamilton	Vale
Hankamer	Voigt
Hardeman	Waggoner
Harper	Winfree
Harrell of Bastrop	Wood
Hartzog	Worley
Howington	Wright

Nays—42

Bailey	Dickson
Blankenship	Hale
Bridgers	Hardin
Broadfoot	Harp
Burkett	Harrell of Lamar
Clark	Holland
Coleman	Howard
Corry	Johnson of Tarrant
Crossley	Kern
Dickison	Kerr

King	Pope
Lehman	Reader of Erath
McDonald	Rhodes
McFarland	Roach
McMurry	Smith of Frio
McNamara	Smith of Hopkins
Mohrmann	Stoll
Oliver	Wells
Petsch	Westbrook
Pevehouse	White
Piner	Wilson

Present—Not Voting

Weldon

Absent

Anderson	Leonard
Bell	Little
Boyer	London
Celaya	McDaniel
Cornett	Montgomery
Dean	Pace
Donaghey	Ragsdale
Faulkner	Reader of Bexar
Gilmer	Reaves
Goodman	Riviere
Isaacks	Tennant
Keith	Vint
Kinard	

Absent—Excused

Allen	Harris
Dwyer	Heflin

SENATE BILL NO. 490 ON SECOND READING

Mr. Goodman moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, Senate Bill No. 490.

The motion prevailed by the following vote:

Yeas—110

Allison	Burney
Alsup	Cauthorn
Bailey	Celaya
Baker	Chambers
of Fort Bend	Clark
Bell	Cleveland
Bond	Cockrell
Boyd	Coleman
Boyer	Colson, Mrs.
Bradbury	Corry
Bradford	Crossley
Bray	Daniel
Bridgers	Davis of Jasper
Broadfoot	Dickison
Brown of Cherokee	Dickson
Brown	Dowell
of Nacogdoches	Felty
Bundy	Ferguson

Galbreath	Newell
Goodman	Nicholson
Gordon, Mrs.	Oliver
Hale	Petsch
Hamilton	Pevehouse
Hankamer	Piner
Hardeman	Pope
Hardin	Reader of Erath
Harp	Rhodes
Harper	Roach
Harrell of Bastrop	Robinson
Harrell of Lamar	Russell
Hartzog	Schuenemann
Holland	Segrist
Howard	Shell
Howington	Skiles
Hull	Smith of Frio
Hunt	Smith of Hopkins
Johnson of Ellis	Smith
Johnson of Tarrant	of Matagorda
Kennedy	Stoll
Kern	Talbert
Kersey	Tarwater
Kinard	Taylor
King	Tennant
Lehman	Thornberry
Leonard	Thornton
Leyendecker	Turner
Little	Vale
Lock	Voigt
Mays	Waggoner
McAlister	Weldon
McDaniel	Wells
McFarland	Wilson
McMurry	Winfree
McNamara	Wood
Mohrmann	Worley
Monkhouse	Wright
Montgomery	

Nays—8

Boethel	Roberts
Burkett	Spencer
Davis of Upshur	Stinson
Langdon	White

Present—Not Voting

Kerr

Absent

Anderson	Keith
Baker of Grayson	Loggins
Blankenship	London
Colquitt	McDonald
Cornett	Morris
Dean	Pace
Derden	Ragsdale
Donaghey	Reader of Bexar
Faulkner	Reaves
Fielden	Reed
Fuchs	Riviere
Gilmer	Vint
Isaacks	Westbrook

Absent—Excused

Allen	Harris
Dwyer	Heflin

PAIRED

Mr. Kerr (present), who would vote "nay", with Mr. Harris (absent), who would vote "yea".

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 490, A bill to be entitled "An Act making an appropriation of Thirty Thousand (\$30,000.00) Dollars, or so much thereof as may be necessary to aid and facilitate the work to be performed by the Red Bluff Water Power Control District; provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by said District, and declaring an emergency."

The bill was read second time.

Mr. Goodman offered the following committee amendment to the bill:

Amend Senate Bill No. 490, by striking out all after the enacting clause, and inserting in lieu thereof, the following:

"Section 1. There is hereby appropriated for the payment of what is considered the State's part of the cost of making a complete water survey of the Rio Grande River and its watershed from Fort Quitman, Texas, to the mouth of said river, to be used with other funds to be furnished by the United States Government and its agencies in making such complete survey, the sum of Thirty-five Thousand (\$35,000.00) Dollars. This appropriation, however, is contingent upon the United States Government, or one or more of its agencies, matching same by appropriating, or allocating, for the purposes set forth herein the total sum of not less than Two Hundred and Fifty Thousand (\$250,000.00) Dollars, including the moneys heretofore expended and to be expended under the allocation of One Hundred and Thirty Thousand (\$130,000.00) Dollars made to the State Department in 1938, and now being spent by the said State Department through the American Branch of the International Boundary Commission.

"Sec. 2. Said appropriation shall remain available for such use until

expended, provided that the Governor of the State of Texas shall receive official notice from the United States Government, or one or more of its agencies, prior to January 1, 1941, that such survey will be undertaken by the United States Government, or one or more of its agencies. If no such official notice shall be communicated to the Governor of the State of Texas by said date, the appropriation hereby made shall lapse and said appropriated money shall be placed to the credit of the General Fund of the State of Texas.

"Sec. 3. Said money may be expended upon vouchers approved by the Governor of Texas. As and when a voucher is approved by the Governor, the Comptroller of Public Accounts is authorized to draw a warrant on the State Treasurer in the amount of the approved voucher, payable to the order of the payee named in such voucher.

"Sec. 4. There is hereby appropriated for the use of the Red Bluff Water Power Control District, out of any funds in the State Treasury not heretofore otherwise appropriated, the sum of Thirty Thousand (\$30,000.00) Dollars, which may be withdrawn from time to time on vouchers signed by the General Manager and Treasurer of said District, upon approval of the Chairman of the Board of Water Engineers of the State of Texas, upon which the State Comptroller shall draw his warrant upon the Treasurer of the State of Texas; provided said funds are to be used under the direction and only with the consent of the Directors of the Red Bluff Water Power Control District, and approval of the Board of Water Engineers of the State of Texas. Provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by the Red Bluff Water Power Control District.

"Sec. 5. The facts that the richest agricultural development in the State of Texas is situated near the mouth of the Rio Grande River; that said lands are almost wholly dependent on irrigation through waters made available in the channel of the Rio Grande River; that the stability of said supply is seriously threatened, thus necessitating a complete survey to assure the use of available water to the fullest degree of efficiency; that other

economical uses be made of such waters as required under the Constitution of the State; that the lands in the Lower Rio Grande Valley are subjected to torrential floods; and the further fact, with regard to the appropriation made for the benefit of the Red Bluff Water Power Control District, that said appropriation is important and necessary in making adequate surveys in order to obtain aid from the Federal Government create an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule that bills be read on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 490 was then passed to third reading.

SENATE BILL NO. 490 ON THIRD READING

Mr. Goodman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 490 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Allison	Clark
Alsup	Cleveland
Bailey	Cockrell
Baker	Coleman
of Fort Bend	Colson, Mrs.
Baker of Grayson	Corry
Boethel	Daniel
Bond	Derden
Boyd	Dickison
Bradbury	Dickson
Bradford	Dowell
Bray	Felty
Bridgers	Ferguson
Brown of Cherokee	Fuchs
Brown	Galbreath
of Nacogdoches	Gilmer
Bundy	Goodman
Burney	Gordon, Mrs.
Cauthorn	Hale
Celaya	Hamilton
Chambers	Hankamer

Hardeman	Pevehouse
Hardin	Piner
Harp	Pope
Harper	Reader of Erath
Harrell of Bastrop	Reed
Harrell of Lamar	Rhodes
Hartzog	Riviere
Holland	Roach
Howard	Robinson
Howington	Schuenemann
Hull	Segrist
Hunt	Shell
Isaacks	Skiles
Johnson of Ellis	Smith of Frio
Johnson of Tarrant	Smith of Hopkins
Kennedy	Smith
King	of Matagorda
Lehman	Stoll
Leonard	Talbert
Leyendecker	Tarwater
Lock	Taylor
Mays	Tennant
McAlister	Thornberry
McDaniel	Thornton
McDonald	Turner
McFarland	Vale
McMurry	Voigt
Mohrmann	Waggoner
Monkhouse	Weldon
Morris	Wells
Newell	Winfree
Nicholson	Worley
Pace	Wright
Petsch	

Nays—16

Burkett	Oliver
Crossley	Roberts
Davis of Upshur	Russell
Faulkner	Spencer
Kern	Westbrook
Kersey	White
Langdon	Wilson
McNamara	Wood

Present—Not Voting

Kerr

Absent

Anderson	Keith
Bell	Kinard
Blankenship	Little
Boyer	Loggins
Broadfoot	London
Colquitt	Montgomery
Cornett	Ragsdale
Davis of Jasper	Reader of Bexar
Dean	Reaves
Donaghey	Stinson
Fielden	Vint

Absent—Excused

Allen	Harris
Dwyer	Heflin

PAIRED

Mr. Kerr (present), who would vote "nay", with Mr. Harris (absent), who would vote "yea".

The Speaker then laid Senate Bill No. 490 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—106

Mr. Speaker	Howington
Allison	Hull
Alsup	Hunt
Baker	Isaacks
of Fort Bend	Johnson of Ellis
Baker of Grayson	Johnson of Tarrant
Bell	Kennedy
Blankenship	Kinard
Bond	King
Boyd	Lehman
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Loggins
Bray	McAlister
Bridgers	McDaniel
Brown of Cherokee	McDonald
Bundy	McFarland
Burney	McMurry
Cauthorn	Mohrmann
Celaya	Monkhouse
Chambers	Montgomery
Clark	Morris
Cleveland	Newell
Cockrell	Nicholson
Coleman	Pace
Colson, Mrs.	Petsch
Corry	Pevehouse
Daniel	Piner
Derden	Pope
Dickison	Ragsdale
Dickson	Reader of Erath
Dowell	Reed
Dwyer	Riviere
Faulkner	Robinson
Felty	Schuenemann
Ferguson	Segrist
Fuchs	Shell
Galbreath	Skiles
Gilmer	Smith of Frio
Goodman	Smith of Hopkins
Gordon, Mrs.	Smith
Hale	of Matagorda
Hamilton	Stinson
Hankamer	Stoll
Hardeman	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Holland	Thornton
Howard	Turner

Vale	Winfree
Voigt	Worley
Waggoner	Wright

Nays—23

Bailey	Rhodes
Boethel	Roach
Broadfoot	Roberts
Burkett	Russell
Crossley	Spencer
Davis of Upshur	Weldon
Hardin	Wells
Kern	Westbrook
Kersey	White
Langdon	Wilson
McNamara	Wood
Oliver	

Present—Not Voting

Brown	Kerr
of Nacogdoches	

Absent

Anderson	Keith
Colquitt	Little
Cornett	Lock
Davis of Jasper	London
Dean	Mays
Donaghey	Reader of Bexar
Fielden	Reaves
Hartzog	Vint

Absent—Excused

Allen	Heflin
Harris	

PAIRED

Mr. Kerr (present), who would vote "nay", with Mr. Harris (absent), who would vote "yea".

Mr. Goodman moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

RECESS

Mr. Davis of Upshur moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Hull moved that the House recess until 2:30 o'clock p. m., today.

Mr. Howard moved that the House recess until 3:00 o'clock p. m., today.

The motion of Mr. Howard prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Austin, Texas, June 15, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report on House Bill No. 257 by viva voce vote.

Passed

H. B. No. 1112, A bill to be entitled "An Act to provide that out of taxes remitted by the State of Texas to certain counties such sum shall be used for the purpose of acquiring and improving land for State parks, and declaring an emergency." (With amendments.)

Adopted

H. C. R. No. 195, Authorizing the Enrolling Clerk of the House to correct House Bill No. 1078.

Adopted Conference Committee Report on Senate Bill No. 33 by a viva voce vote.

Respectfully,

BOB BARKER,
Secretary of the Senate.

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 926

The Speaker laid before the House, for consideration, at this time, the Conference Committee Report on House Bill No. 926.

The Report having heretofore been laid before the House, and further consideration of same postponed until today.

On motion of Mr. Morris, the Conference Committee Report on House Bill No. 926 was adopted by the following vote:

Yeas—121

Allison	Bridgers
Alsup	Broadfoot
Bailey	Brown of Cherokee
Baker	Brown
of Fort Bend	of Nacogdoches
Bell	Bundy
Blankenship	Burkett
Boethel	Burney
Bond	Cauthorn
Boyd	Celaya
Boyer	Chambers
Bradbury	Clark
Bradford	Cleveland
Bray	Cockrell

Coleman	McDonald
Colquitt	McFarland
Colson, Mrs.	McNamara
Cornett	Mohrmann
Crossley	Monkhouse
Davis of Jasper	Morris
Davis of Upshur	Newell
Derden	Nicholson
Dickison	Pace
Dickson	Petsch
Dowell	Pevehouse
Faulkner	Piner
Felty	Pope
Ferguson	Reader of Bexar
Fielden	Reader of Erath
Fuchs	Reaves
Galbreath	Reed
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Russell
Hankamer	Schuenemann
Hardeman	Segrist
Hardin	Shell
Harp	Skiles
Harper	Smith of Frio
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Smith of Matagorda
Holland	Spencer
Howington	Stinson
Hull	Stoll
Hunt	Tarwater
Isaacks	Taylor
Johnson of Ellis	Tennant
Johnson of Tarrant	Thornberry
Kennedy	Thornton
Kern	Voigt
Kerr	Waggoner
King	Weldon
Langdon	Wells
Lehman	Westbrook
Leonard	White
Leyendecker	Winfree
Little	Wood
Lock	Worley
London	Wright
McAlister	

Absent

Anderson	McDaniel
Corry	McMurry
Daniel	Montgomery
Dean	Oliver
Donaghey	Ragsdale
Hartzog	Rhodes
Howard	Talbert
Keith	Turner
Kersey	Vale
Kinard	Vint
Loggins	Wilson
Mays	

Absent—Excused

Allen	Harris
Baker of Grayson	Heflin
Dwyer	

(Pending consideration of the Report, Mr. Thornton occupied the Chair, temporarily.)

(Speaker in the Chair.)

RELATIVE TO HOUSE BILL
NO. 1083

On motion of Mr. Smith of Frio, House Bill No. 1083 was laid on the table.

SENATE BILL NO. 320 ON SECOND
READING

Mr. Smith of Frio moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, Senate Bill No. 320.

The motion prevailed by the following vote:

Yeas—107

Allison	Gordon, Mrs.
Alsup	Hale
Baker	Hamilton
of Fort Bend	Hankamer
Bell	Hardin
Blankenship	Harp
Boethel	Harrell of Bastrop
Bond	Harrell of Lamar
Boyd	Hartzog
Bradbury	Holland
Bradford	Howard
Bray	Howington
Bridgers	Hull
Brown of Cherokee	Hunt
Bundy	Isaacks
Burney	Johnson of Ellis
Cauthorn	Johnson of Tarrant
Celaya	Keith
Chambers	Kennedy
Clark	Kern
Cleveland	Kinard
Cockrell	King
Coleman	Langdon
Colson, Mrs.	Lehman
Cornett	Leonard
Davis of Upshur	Leyendecker
Dickison	Little
Donaghey	McAlister
Faulkner	McDonald
Felty	McFarland
Ferguson	McMurry
Fielden	McNamara
Fuchs	Mohrmann
Galbreath	Monkhouse
Gilmer	Morris
Goodman	Newell

Nicholson	Smith
Pace	of Matagorda
Petsch	Stinson
Pevehouse	Stoll
Pope	Tarwater
Ragsdale	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Riviere	Vale
Roach	Voigt
Roberts	Waggoner
Robinson	Weldon
Schuenemann	Wells
Segrist	White
Shell	Winfree
Skiles	Worley
Smith of Frio	Wright
Smith of Hopkins	

Nays—10

Burkett	Russell
Colquitt	Spencer
Crossley	Vint
Harper	Wilson
Kerr	Wood

Present—Not Voting

Brown
of Nacogdoches

Absent

Anderson	Lock
Bailey	Loggins
Boyer	London
Broadfoot	Mays
Corry	McDaniel
Daniel	Montgomery
Davis of Jasper	Oliver
Dean	Piner
Derden	Reader of Bexar
Dickson	Rhodes
Dowell	Talbert
Hardeman	Turner
Kersey	Westbrook

Absent—Excused

Allen	Harris
Baker of Grayson	Heflin
Dwyer	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 320, A bill to be entitled "An Act making an appropriation out of moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1940, and August 31, 1941, to aid said District in mak-

ing the necessary surveys and preparing the necessary plans for its construction program, and declaring an emergency."

The bill was read second time, and was passed to third reading.

MOTION TO PLACE SENATE BILL NO. 320 ON THIRD READING

Mr. Smith of Frio moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 320 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—92

Allison	Hartzog
Alsup	Holland
Baker	Howard
of Fort Bend	Hull
Bell	Hunt
Boethel	Isaacks
Bond	Johnson of Ellis
Boyd	Johnson of Tarrant
Boyer	Kennedy
Bradbury	Kinard
Bradford	King
Bray	Leonard
Broadfoot	Leyendecker
Brown of Cherokee	Little
Bundy	Lock
Cauthorn	McAlister
Celaya	McDonald
Cleveland	McFarland
Cockrell	McMurry
Coleman	McNamara
Colson, Mrs.	Mohrmann
Cornett	Monkhouse
Corry	Morris
Dickison	Nicholson
Donaghey	Pevehouse
Faulkner	Pope
Felty	Reader of Erath
Ferguson	Reed
Fielden	Riviere
Fuchs	Roberts
Galbreath	Robinson
Gilmer	Schuenemann
Goodman	Segrist
Gordon, Mrs.	Shell
Hale	Skiles
Hankamer	Smith of Frio
Hardeman	Smith of Hopkins
Hardin	Smith
Harp	of Matagorda
Harper	Stinson
Harrell of Bastrop	Stoll
Harrell of Lamar	Tarwater

Taylor	Vale
Tennant	Voigt
Thornberry	Winfree
Thornton	Worley
Turner	Wright

Nays—27

Bailey	Pace
Burkett	Petsch
Clark	Rhodes
Colquitt	Roach
Crossley	Russell
Davis of Upshur	Spencer
Hamilton	Vint
Howington	Waggoner
Keith	Weldon
Kern	Wells
Kerr	White
Langdon	Wilson
Lehman	Wood
Ncwell	

Present—Not Voting

Brown
of Nacogdoches

Absent

Anderson	Loggins
Blankenship	London
Bridgers	Mays
Burney	McDaniel
Chambers	Montgomery
Daniel	Oliver
Davis of Jasper	Piner
Dean	Ragsdale
Derden	Reader of Bexar
Dickson	Reaves
Dowell	Talbert
Kersey	Westbrook

Absent—Excused

Allen	Harris
Baker of Grayson	Heflin
Dwyer	

HOUSE BILL NO. 231 WITH SEN-
ATE AMENDMENTS

The Speaker laid before the House, as pending business, House Bill No. 231, with Senate amendments, for consideration of the amendments, with motion by Mr. Mays that further consideration of House Bill No. 231 be postponed until next Monday, and that the bill, as amended by the Senate, be printed in the Journal, and substitute motion by Mr. Keith, that further consideration of House Bill No. 231 be postponed until 11:30 o'clock a. m., tomorrow.

Question first recurring on the substitute motion by Mr. Keith, to post-

pone further consideration of House Bill No. 231 until 11:30 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—47

Broadfoot	Mays
Brown	McFarland
of Nacogdoches	McMurry
Burkett	McNamara
Burney	Petsch
Cauthorn	Pope
Chambers	Reed
Cockrell	Roach
Cornett	Roberts
Daniel	Robinson
Davis of Jasper	Russell
Dickson	Smith of Frio
Fielden	Smith of Hopkins
Fuchs	Stinson
Galbreath	Turner
Gilmer	Vint
Hamilton	Voigt
Harrell of Lamar	Weldon
Howard	Westbrook
Howington	White
Hunt	Wilson
Kern	Winfree
King	Wood
Lehman	Wright

Nays—80

Alsop	Goodman
Bailey	Gordon, Mrs.
Baker	Hale
of Fort Bend	Hankamer
Bell	Hardeman
Blankenship	Hardin
Boethel	Harp
Bond	Harper
Boyd	Harrell of Bastrop
Boyer	Hartzog
Bradbury	Holland
Bradford	Hull
Bray	Johnson of Ellis
Bridgers	Johnson of Tarrant
Brown of Cherokee	Keith
Bundy	Kennedy
Celaya	Kerr
Clark	Kersey
Cleveland	Kinard
Coleman	Leonard
Colquitt	Little
Corry	Lock
Crossley	London
Davis of Upshur	McAlister
Dickson	McDonald
Dowell	Mohrmann
Faulkner	Monkhouse
Felty	Montgomery
Ferguson	Morris

Nicholson	Stoll
Pevehouse	Talbert
Piner	Tarwater
Reader of Bexar	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Rhodes	Thornton
Riviere	Vale
Segrist	Waggoner
Shell	Wells
Skiles	Worley
Smith	
of Matagorda	

Present—Not Voting

Spencer

Absent

Anderson	Loggins
Colson, Mrs.	McDaniel
Dean	Newell
Derden	Oliver
Donaghey	Pace
Isaacks	Ragsdale
Langdon	Schuenemann
Leyendecker	

Absent—Excused

Allen	Dwyer
Allison	Harris
Baker of Grayson	Heflin

Question then recurring on the motion by Mr. Mays, to postpone further consideration of House Bill No. 231 until next Monday, and that the bill, as amended by the Senate, be printed in the Journal, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—46

Alsup	Hamilton
Bailey	Hankamer
Broadfoot	Harrell of Lamar
Brown	Howington
of Nacogdoches	Kern
Burkett	Kersey
Burney	King
Cockrell	Langdon
Cornett	Lehman
Crossley	Mays
Davis of Jasper	McMurry
Davis of Upshur	Montgomery
Donaghey	Pace
Dowell	Pope
Ferguson	Reed
Fielden	Roach
Fuchs	Roberts
Galbreath	Schuenemann
Gilmer	Skiles

Smith of Hopkins	Weldon
Stinson	Westbrook
Tarwater	Wood
Turner	Wright
Voigt	

Nays—81

Baker	Kerr
of Fort Bend	Kinard
Bell	Little
Blankenship	Lock
Boethel	London
Bond	McAlister
Boyd	McDonald
Boyer	McNamara
Bradbury	Mohrmann
Bradford	Monkhouse
Bray	Morris
Bridgers	Newell
Brown of Cherokee	Nicholson
Cauthorn	Petsch
Celaya	Pevehouse
Chambers	Piner
Clark	Reader of Bexar
Cleveland	Reader of Erath
Coleman	Reaves
Colquitt	Rhodes
Corry	Riviere
Daniel	Robinson
Dickison	Russell
Dickson	Segrist
Faulkner	Shell
Felty	Smith
Goodman	of Matagorda
Gordon, Mrs.	Stoll
Hale	Talbert
Hardeman	Taylor
Hardin	Tennant
Harp	Thornberry
Harper	Thornton
Harrell of Bastrop	Vale
Holland	Vint
Howard	Waggoner
Hull	Wells
Hunt	White
Isaacks	Wilson
Johnson of Ellis	Winfree
Johnson of Tarrant	Worley
Kennedy	

Present—Not Voting

Spencer

Absent

Anderson	Leyendecker
Bundy	Loggins
Colson, Mrs.	McDaniel
Dean	McFarland
Derden	Oliver
Hartzog	Ragsdale
Keith	Smith of Frio
Leonard	

Absent—Excused

Allen	Dwyer
Allison	Harris
Baker of Grayson	Heflin

Mr. Smith of Matagorda moved the previous question, on the motion to concur in Senate amendments to House Bill No. 231, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—69

Alsup	Langdon
Blankenship	Leonard
Boethel	Leyendecker
Bond	Little
Boyd	Lock
Boyer	London
Bradbury	McAlister
Bradford	McDaniel
Bridgers	McFarland
Brown of Cherokee	Mohrmann
Bundy	Monkhouse
Burney	Morris
Cauthorn	Nicholson
Celaya	Pevehouse
Chambers	Piner
Clark	Ragsdale
Cleveland	Reader of Bexar
Coleman	Riviere
Colquitt	Robinson
Corry	Russell
Daniel	Segrist
Dickison	Shell
Dickson	Skiles
Faulkner	Smith
Felty	of Matagorda
Harp	Stoll
Harrell of Bastrop	Taylor
Hartzog	Tennant
Holland	Thornberry
Hull	Thornton
Johnson of Ellis	Vale
Johnson of Tarrant	Voigt
Keith	Waggoner
Kerr	Wells
Kinard	Wilson

Nays—49

Anderson	Burkett
Bailey	Cockrell
Baker	Cornett
of Fort Bend	Crossley
Bell	Davis of Jasper
Bray	Davis of Upshur
Broadfoot	Dowell
Brown	Ferguson
of Nacogdoches	Fielden

Fuchs
Galbreath
Gilmer
Hale
Hankamer
Hardeman
Howard
Howington
Hunt
Kennedy
Kern
Kersey
King
Lehman
Mays
McMurry
McNamara

Montgomery
Pace
Reed
Rhodes
Roach
Roberts
Smith of Hopkins
Stinson
Talbert
Turner
Vint
Weldon
Westbrook
Winfree
Wood
Worley

Present—Not Voting

Spencer

Absent

Colson, Mrs.	McDonald
Dean	Newell
Derden	Oliver
Donaghey	Petsch
Goodman	Pope
Gordon, Mrs.	Reader of Erath
Hamilton	Reaves
Hardin	Schuenemann
Harper	Smith of Frio
Harrell of Lamar	Tarwater
Isaacks	White
Loggins	Wright

Absent—Excused

Allen	Dwyer
Allison	Harris
Baker of Grayson	Heflin

Mr. Kersey moved that all necessary Rules be suspended, in order that debate may be permitted on the motion to concur in Senate amendments to House Bill No. 231.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—66

Alsup	Cockrell
Anderson	Cornett
Bailey	Crossley
Baker	Daniel
of Fort Bend	Davis of Jasper
Bray	Davis of Upshur
Broadfoot	Dowell
Brown	Ferguson
of Nacogdoches	Fielden
Burkett	Fuchs
Burney	Galbreath
Clark	Gilmer

Hale	Oliver
Hamilton	Pace
Hankamer	Petsch
Harper	Pope
Harrell of Bastrop	Reed
Harrell of Lamar	Rhodes
Howington	Roach
Hunt	Roberts
Kennedy	Russell
Kern	Smith of Hopkins
Kerr	Stinson
Kersey	Talbert
Kinard	Turner
King	Vint
Langdon	Voigt
Lehman	Weldon
Leonard	Wells
Leyendecker	Westbrook
McMurry	White
Monkhouse	Winfree
Montgomery	Wood
Newell	Worley

Nays—62

Bell	Little
Blankenship	Lock
Boethel	London
Bond	McAlister
Boyd	McDaniel
Boyer	McDonald
Bradbury	McFarland
Bradford	McNamara
Bridgers	Mohrmann
Brown of Cherokee	Morris
Bundy	Pevehouse
Cauthorn	Piner
Cleveland	Reader of Bexar
Coleman	Reader of Erath
Colquitt	Reaves
Corry	Riviere
Dickson	Robinson
Dickson	Segrist
Faulkner	Shell
Felty	Skiles
Goodman	Smith of Frio
Gordon, Mrs.	Smith
Hardeman	of Matagorda
Hardin	Stoll
Harp	Taylor
Hartzog	Tennant
Holland	Thornberry
Howard	Thornton
Hull	Vale
Isaacks	Waggoner
Johnson of Tarrant	Wilson
Keith	

Present—Not Voting

Spencer

Absent

Celaya	Colson, Mrs.
Chambers	Dean

Derden	Nicholson
Donaghey	Ragsdale
Johnson of Ellis	Schuenemann
Loggins	Tarwater
Mays	Wright

Absent—Excused

Allen	Dwyer
Allison	Harris
Baker of Grayson	Heflin

The House then concurred in Senate amendments to House Bill No. 231 by the following vote:

Yeas—91

Baker	King
of Fort Bend	Langdon
Bell	Lehman
Blankenship	Leonard
Boethel	Leyendecker
Bond	Little
Boyd	Lock
Boyer	McAlister
Bradbury	McDaniel
Bradford	McDonald
Bridgers	McFarland
Brown of Cherokee	McMurry
Bundy	McNamara
Burney	Mohrmann
Cauthorn	Monkhouse
Celaya	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Nicholson
Coleman	Petsch
Colquitt	Pevehouse
Corry	Piner
Dickson	Ragsdale
Dickson	Reader of Bexar
Dowell	Reaves
Faulkner	Reed
Felty	Rhodes
Ferguson	Riviere
Gilmer	Robinson
Goodman	Russell
Gordon, Mrs.	Segrist
Hamilton	Skiles
Hardeman	Smith
Harp	of Matagorda
Harrell of Bastrop	Stoll
Hartzog	Talbert
Heflin	Tarwater
Holland	Tennant
Howard	Thornberry
Hull	Thornton
Hunt	Voigt
Isaacks	Waggoner
Johnson of Ellis	White
Johnson of Tarrant	Wilson
Keith	Wood
Kennedy	Worley
Kerr	

Nays—38

Alsup	Harrell of Lamar
Anderson	Howington
Bailey	Kern
Bray	Kersey
Broadfoot	Mays
Brown	Pace
of Nacogdoches	Pope
Burkett	Reader of Erath
Cockrell	Roach
Cornett	Roberts
Crossley	Smith of Hopkins
Daniel	Stinson
Davis of Jasper	Taylor
Davis of Upshur	Turner
Fielden	Weldon
Fuchs	Wells
Galbreath	Westbrook
Hale	Winfree
Hankamer	Wright
Harper	

Present—Not Voting

Spencer

Absent

Colson, Mrs.	London
Dean	Oliver
Derden	Schuenemann
Donaghey	Shell
Hardin	Smith of Frio
Kinard	Vale
Loggins	Vint

Absent—Excused

Allen	Dwyer
Allison	Harris
Baker of Grayson	

Mr. Smith of Matagorda moved to reconsider the vote by which the House concurred in the Senate amendments to House Bill No. 231, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 1031 ON THIRD READING

Mr. Lock moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1031 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Allison	Baker
Alsup	of Fort Bend
Anderson	Bell
Bailey	Blankenship

Boethel	Kersey
Bond	King
Boyd	Langdon
Boyer	Lehman
Bradbury	Leonard
Bradford	Leyendecker
Bridgers	Little
Broadfoot	Lock
Brown of Cherokee	Loggins
Brown	London
of Nacogdoches	Mays
Bundy	McAlister
Burkett	McDaniel
Burney	McDonald
Celaya	McFarland
Clark	McMurry
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Montgomery
Colson, Mrs.	Morris
Cornett	Newell
Crossley	Oliver
Daniel	Pace
Davis of Jasper	Pevehouse
Davis of Upshur	Piner
Derden	Pope
Dickson	Reader of Erath
Dowell	Reaves
Faulkner	Reed
Felty	Rhodes
Ferguson	Roach
Fielden	Roberts
Fuchs	Robinson
Galbreath	Russell
Gilmer	Segrist
Hale	Shell
Hardeman	Skiles
Hardin	Smith of Hopkins
Harp	Spencer
Harper	Stinson
Harrell of Bastrop	Stoll
Harrell of Lamar	Talbert
Heflin	Taylor
Holland	Tennant
Howard	Thornberry
Howington	Turner
Hull	Weldon
Hunt	Wells
Isaacks	Westbrook
Johnson of Ellis	White
Kennedy	Wilson
Kern	Winfree
Kerr	Worley

Nays—18

Bray	Nicholson
Cauthorn	Riviere
Colquitt	Schuenemann
Corry	Thornton
Dickson	Vale
Gordon, Mrs.	Vint
Hankamer	Voigt
Keith	Wood
McNamara	Wright

Absent

Chambers	Ragsdale
Dean	Reader of Bexar
Donaghey	Smith of Frio
Goodman	Smith
Hartzog	of Matagorda
Johnson of Tarrant	Tarwater
Kinard	Waggoner
Petsch	

Absent—Excused

Allen	Hamilton
Baker of Grayson	Harris
Dwyer	

The Speaker then laid House Bill No. 1031 before the House on third reading and final passage.

The bill was read third time.

Mr. Bray moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Talbert moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, it was lost.

Question next recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, it was lost.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 1031 was then passed by the following vote:

Yeas—123

Allison	Celaya
Alsup	Chambers
Anderson	Clark
Bailey	Cleveland
Baker	Cockrell
of Fort Bend	Coleman
Bell	Colson, Mrs.
Blankenship	Cornett
Boethel	Crossley
Bond	Daniel
Boyd	Davis of Jasper
Boyer	Davis of Upshur
Bradbury	Derden
Bradford	Dickson
Bridgers	Dickson
Broadfoot	Dowell
Brown of Cherokee	Faulkner
Brown	Felty
of Nacogdoches	Ferguson
Bundy	Fielden
Burkett	Fuchs
Burney	Galbreath

Gilmer	Newell
Goodman	Oliver
Gordon, Mrs.	Pace
Hale	Pevehouse
Hardeman	Piner
Hardin	Pope
Harp	Ragsdale
Harper	Reader of Erath
Harrell of Bastrop	Reaves
Harrell of Lamar	Reed
Holland	Rhodes
Howard	Riviere
Howington	Roach
Hull	Roberts
Hunt	Robinson
Johnson of Ellis	Russell
Johnson of Tarrant	Segrist
Keith	Skiles
Kennedy	Smith of Frio
Kern	Smith of Hopkins
Kerr	Smith
Kersey	of Matagorda
Kinard	Spencer
King	Stinson
Langdon	Stoll
Lehman	Talbert
Leonard	Tarwater
Leyendecker	Taylor
Little	Tennant
Lock	Thornberry
London	Turner
Mays	Waggoner
McAlister	Weldon
McDonald	Wells
McFarland	Westbrook
McMurry	White
McNamara	Wilson
Mohrmann	Winfree
Monkhouse	Wood
Montgomery	Worley
Morris	Wright

Nays—11

Bray	Reader of Bexar
Cauthorn	Schuenemann
Colquitt	Thornton
Corry	Vale
Hankamer	Vint
Nicholson	

Absent

Baker of Grayson	Loggins
Dean	McDaniel
Donaghey	Petsch
Hartzog	Shell
Isaacks	Voigt

Absent—Excused

Allen	Harris
Dwyer	Heflin
Hamilton	

Mr. Lock moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Bray moved that the House adjourn until 10:00 o'clock a. m., next Monday.

The motion was lost.

SENATE BILL NO. 320 ON THIRD READING

Mr. Smith of Frio moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 320 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Alsup	Gilmer
Anderson	Goodman
Baker	Gordon, Mrs.
of Fort Bend	Hale
Bell	Hankamer
Blankenship	Hardin
Boethel	Harp
Bond	Harper
Boyd	Harrell of Bastrop
Boyer	Harrell of Lamar
Bradbury	Hartzog
Bradford	Heflin
Bray	Holland
Bridgers	Howard
Brown of Cherokee	Howington
Bundy	Hull
Burney	Hunt
Cauthorn	Isaacks
Celaya	Johnson of Ellis
Clark	Johnson of Tarrant
Cleveland	Keith
Cockrell	Kennedy
Coleman	Kerr
Colson, Mrs.	Kersey
Cornett	Kinard
Corry	King
Daniel	Lehman
Davis of Jasper	Leonard
Davis of Upshur	Leyendecker
Dickison	Little
Dickson	Lock
Dowell	London
Faulkner	Mays
Felty	McAlister
Ferguson	McDaniel
Fielden	McDonald
Fuchs	McFarland
Galbreath	McMurry

McNamara	Skiles
Mohrmann	Smith of Frio
Monkhouse	Smith of Hopkins
Montgomery	Smith
Morris	of Matagorda
Newell	Stoll
Nicholson	Talbert
Petsch	Tarwater
Piner	Taylor
Pope	Tennant
Ragsdale	Thornberry
Reader of Bexar	Thornton
Reader of Erath	Turner
Reaves	Vale
Reed	Vint
Rhodes	Voigt
Riviere	Waggoner
Roach	Wells
Roberts	Westbrook
Robinson	Wilson
Schuenemann	Winfree
Segrist	Worley
Shell	Wright

Nays—11

Bailey	Russell
Burkett	Spencer
Colquitt	Stinson
Crossley	Weldon
Kern	Wood
Langdon	

Present—Not Voting

Brown
of Nacogdoches

Absent

Baker of Grayson	Hardeman
Broadfoot	Loggins
Chambers	Oliver
Dean	Pace
Derden	Pevehouse
Donaghey	White

Absent—Excused

Allen	Hamilton
Allison	Harris
Dwyer	

The Speaker then laid Senate Bill No. 320 before the House on third reading and final passage.

The bill was read third time.

Mr. Mays raised a point of order, on further consideration of the bill at this time, on the ground that the bill violates Section 50 of Article III of the Constitution.

The Speaker overruled the point of order.

Senate Bill No. 320 was then passed by the following vote:

Yeas—105

Alsup	King
Anderson	Leonard
Baker	Leyendecker
of Fort Bend	Little
Bell	Lock
Blankenship	London
Boethel	McAlister
Boyd	McDaniel
Boyer	McDonald
Bradbury	McFarland
Bradford	McMurry
Bray	McNamara
Bridgers	Mohrmann
Brown of Cherokee	Monkhouse
Bundy	Montgomery
Burney	Morris
Cauthorn	Newell
Celaya	Nicholson
Clark	Petsch
Cleveland	Pevehouse
Cockrell	Piner
Coleman	Pope
Cornett	Ragsdale
Corry	Reader of Bexar
Daniel	Reader of Erath
Davis of Jasper	Reaves
Davis of Upshur	Reed
Dickson	Rhodes
Dickson	Riviere
Dowell	Roberts
Faulkner	Robinson
Felty	Schuenemann
Ferguson	Segrist
Fielden	Shell
Fuchs	Skiles
Galbreath	Smith of Frio
Gilmer	Smith of Hopkins
Goodman	Smith
Gordon, Mrs.	of Matagorda
Hankamer	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Hartzog	Thornton
Howard	Turner
Hull	Vale
Hunt	Voigt
Isaacks	Wilson
Johnson of Ellis	Winfree
Johnson of Tarrant	Worley
Kersey	Wright
Kinard	

Nays—25

Bailey	Burkett
Brown	Colquitt
of Nacogdoches	Crossley

Hale	Roach
Howington	Russell
Keith	Spencer
Kennedy	Stinson
Kern	Vint
Kerr	Waggoner
Langdon	Weldon
Lehman	Wells
Mays	Westbrook
Pace	Wood

Absent

Baker of Grayson	Donaghey
Bond	Hardeman
Broadfoot	Holland
Chambers	Loggins
Colson, Mrs.	Oliver
Dean	White
Derden	

Absent—Excused

Allen	Hamilton
Allison	Harris
Dwyer	Heflin

MOTION TO PLACE HOUSE JOINT RESOLUTION NO. 45 ON THIRD READING

Mr. Cornett moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, House Joint Resolution No. 45.

Mr. Davis of Upshur raised a point of order, on further consideration of the motion at this time, on the ground that it is not in order to consider the resolution inasmuch as this is Senate bill day.

The Speaker sustained the point of order.

HOUSE BILL NO. 1112 WITH SENATE AMENDMENTS

Mr. White called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1112, A bill to be entitled "An Act to provide that out of taxes remitted by the State of Texas to certain counties such sum shall be used for the purpose of acquiring and improving land for State parks, and declaring an emergency."

On motion of Mr. White, the House concurred in the Senate amendments by the following vote:

Yeas—125

Allison	Anderson
Alsup	Bailey

Baker	Langdon
of Fort Bend	Lehman
Blankenship	Leonard
Boethel	Little
Boyd	Lock
Boyer	Loggins
Bradbury	London
Bradford	Mays
Bray	McAlister
Brown	McDonald
of Nacogdoches	McFarland
Bundy	McMurry
Burkett	McNamara
Burney	Mohrmann
Cauthorn	Monkhouse
Celaya	Montgomery
Clark	Newell
Cleveland	Nicholson
Cockrell	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Piner
Cornett	Pope
Crossley	Ragsdale
Daniel	Reader of Bexar
Davis of Jasper	Reader of Erath
Davis of Upshur	Reaves
Derden	Reed
Dickison	Rhodes
Dickson	Riviere
Dowell	Roach
Faulkner	Roberts
Ferguson	Robinson
Fielden	Russell
Fuchs	Schuenemann
Galbreath	Segrist
Gilmer	Shell
Goodman	Smith of Frio
Gordon, Mrs.	Smith of Hopkins
Hale	Smith
Hankamer	of Matagorda
Hardeman	Spencer
Hardin	Stinson
Harp	Stoll
Harper	Talbert
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Holland	Thornberry
Howard	Thornton
Howington	Turner
Hull	Vale
Hunt	Vint
Isaacks	Voigt
Johnson of Ellis	Waggoner
Johnson of Tarrant	Weldon
Keith	Wells
Kennedy	White
Kern	Wilson
Kerr	Winfree
Kersey	Wood
Kinard	Worley
King	Wright

Absent

Bell	Felty
Bond	Hartzog
Bridgers	Leyendecker
Broadfoot	McDaniel
Brown of Cherokee	Morris
Chambers	Oliver
Corry	Skiles
Dean	Tarwater
Donaghey	Westbrook

Absent—Excused

Allen	Hamilton
Baker of Grayson	Harris
Dwyer	Heflin

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL
NO. 1104

Mr. Boethel submitted the following
Conference Committee Report on
House Bill No. 1104:

Austin, Texas, June 13, 1939.

Hon. Coke Stevenson, President of the
Senate.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sirs: We, your Conference Com-
mittee, appointed to adjust the dif-
ferences between the Senate and the
House of Representatives on House
Bill No. 1104, have had the same
under consideration and we recom-
mend to the Senate and to the House
of Representatives that such bill pass
in the form attached hereto.

Respectfully submitted,

SULAK,
STONE of Washington,
LANNING,
LEMENS,

On the part of the Senate.

BOETHEL,
BUNDY,
CELAYA,
ISAACKS,
WINFREE,

On the part of the House.

H. B. No. 1104

A BILL

To Be Entitled

An Act fixing the compensation for
County Commissioners in certain
counties; providing the manner of
payment and prescribing the funds
from which it shall be paid; repeal-

ing all laws in conflict with, and declaring an emergency.

Bt It Enacted by the Legislature of the State of Texas:

Section 1. In all counties having a population of not less than twenty-seven thousand, five hundred and forty-five (27,545), and not more than twenty-seven thousand, five hundred and fifty-five (27,555), according to the last preceding Federal Census, the salary of the County Commissioners shall be Eighteen Hundred (\$1,800.00) Dollars per year, provided that such salary shall be paid in twelve (12) equal monthly installments, said money to be paid out of the General Funds of said counties, and/or Road and Bridge Funds of the respective precincts served by said Commissioners.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed to the extent of such conflict.

Section 3. The fact that County Commissioners in certain counties are underpaid and their duties require higher salaries, creates an emergency and imperative necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be enforced from and after its passage, and it is so enacted.

On motion of Mr. Boethel, the Report was adopted by the following vote:

Yeas—116

Allison	Cleveland
Anderson	Cockrell
Bailey	Coleman
Baker	Colquitt
of Fort Bend	Colson, Mrs.
Blankenship	Cornett
Boethel	Corry
Bond	Crossley
Boyd	Davis of Jasper
Boyer	Davis of Upshur
Bradbury	Derden
Bradford	Dickison
Bray	Dickson
Brown of Cherokee	Dowell
Bundy	Faulkner
Burkett	Ferguson
Burney	Fuchs
Cauthorn	Galbreath
Celaya	Gilmer
Chambers	Gordon, Mrs.
Clark	Hale

Hankamer	Pevehouse
Hardeman	Piner
Hardin	Pope
Harp	Ragsdale
Harrell of Bastrop	Reader of Erath
Harrell of Lamar	Reed
Holland	Rhodes
Howard	Riviere
Howington	Roach
Hull	Roberts
Hunt	Robinson
Isaacks	Russell
Johnson of Ellis	Schuenemann
Johnson of Tarrant	Segrist
Keith	Shell
Kennedy	Skiles
Kern	Smith of Frio
Kerr	Smith of Hopkins
Kersey	Spencer
Kinard	Stinson
King	Stoll
Langdon	Tarwater
Lehman	Taylor
Leonard	Tennant
Little	Thornberry
Lock	Thornton
Loggins	Turner
London	Vale
McAlister	Voigt
McDaniel	Weldon
McDonald	Wells
McFarland	Westbrook
McNamara	Wilson
Mohrmann	Winfree
Monkhouse	Wood
Montgomery	Worley
Newell	Wright
Nicholson	

Present—Not Voting

Brown
of Nacogdoches

Absent

Alsup	McMurry
Bell	Morris
Bridgers	Oliver
Broadfoot	Pace
Daniel	Petsch
Dean	Reader of Bexar
Donaghey	Reaves
Felty	Smith
Fielden	of Matagorda
Goodman	Talbert
Harper	Vint
Hartzog	Waggoner
Leyendecker	White
Mays	

Absent—Excused

Allen	Hamilton
Baker of Grayson	Harris
Dwyer	Heflin

Mr. Kersey moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Bray moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—38

Alsup	Hunt
Bradbury	Kersey
Bridgers	Little
Broadfoot	Lock
Brown	London
of Nacogdoches	Mohrmann
Burkett	Newell
Colson, Mrs.	Pevehouse
Cornett	Piner
Crossley	Ragsdale
Dowell	Reader of Erath
Faulkner	Rhodes
Felty	Robinson
Ferguson	Shell
Fuchs	Smith of Hopkins
Galbreath	Talbert
Hale	Tennant
Harrell of Bastrop	Voigt
Hartzog	Wood
Howard	

Nays—101

Allison	Davis of Upshur
Anderson	Derden
Bailey	Dickson
Baker	Dickson
of Fort Bend	Donaghey
Bell	Gilmer
Blankenship	Goodman
Boethel	Gordon, Mrs.
Bond	Hankamer
Boyd	Hardeman
Boyer	Hardin
Bradford	Harp
Bray	Harper
Brown of Cherokee	Harrell of Lamar
Bundy	Heflin
Burney	Holland
Cauthorn	Howington
Celaya	Hull
Chambers	Isaacks
Clark	Johnson of Ellis
Cleveland	Johnson of Tarrant
Cockrell	Kennedy
Coleman	Kern
Colquitt	Kerr
Corry	Kinard
Daniel	King
Davis of Jasper	Langdon

Lehman	Russell
Leonard	Schuenemann
Leyendecker	Segrist
Loggins	Skiles
Mays	Smith of Frio
McAlister	Spencer
McDaniel	Stinson
McDonald	Stoll
McFarland	Tarwater
McMurry	Taylor
McNamara	Thornberry
Monkhouse	Thornton
Montgomery	Turner
Nicholson	Vale
Oliver	Vint
Pace	Waggoner
Petsch	Weldon
Pope	Wells
Reader of Bexar	Westbrook
Reaves	White
Reed	Wilson
Riviere	Winfree
Roach	Worley
Roberts	Wright

Absent

Baker of Grayson	Morris
Dean	Smith
Fielden	of Matagorda
Keith	

Absent—Excused

Allen	Hamilton
Dwyer	Harris

Question next recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—69

Allison	Dickson
Alsup	Dwyer
Anderson	Fielden
Baker	Goodman
of Fort Bend	Hankamer
Blankenship	Hardin
Boethel	Harrell of Lamar
Bond	Harris
Boyer	Heflin
Bradford	Howard
Bray	Hull
Bridgers	Isaacks
Broadfoot	Johnson of Ellis
Celaya	Johnson of Tarrant
Chambers	Kennedy
Cockrell	Kinard
Coleman	Leonard
Colquitt	Little
Davis of Upshur	Loggins
Dickson	Mays

McAlister	Robinson
McDaniel	Russell
McDonald	Schuenemann
McFarland	Segrist
McMurry	Skiles
McNamara	Smith of Hopkins
Montgomery	Stinson
Nicholson	Stoll
Oliver	Tarwater
Petsch	Thornton
Piner	Vale
Reader of Bexar	Vint
Reed	Winfree
Roach	Worley
Roberts	Wright

Nays—73

Bailey	Kerr
Bell	Kersey
Boyd	King
Bradbury	Langdon
Brown of Cherokee	Lehman
Brown of Nacogdoches	Leyendecker
Bundy	Lock
Burkett	London
Burney	Mohrmann
Cauthorn	Monkhouse
Clark	Morris
Cleveland	Pace
Colson, Mrs.	Pevehouse
Cornett	Pope
Corry	Ragsdale
Crossley	Reader of Erath
Davis of Jasper	Reaves
Derden	Rhodes
Donaghey	Riviere
Dowell	Shell
Faulkner	Smith of Frio
Felty	Smith of Matagorda
Ferguson	Spencer
Fuchs	Talbert
Galbreath	Taylor
Gilmer	Tennant
Gordon, Mrs.	Thornberry
Hale	Turner
Hardeman	Voigt
Harp	Waggoner
Harper	Weldon
Harrell of Bastrop	Wells
Hartzog	Westbrook
Holland	White
Howington	Wilson
Hunt	Wood
Kern	

Absent

Dean	Newell
Keith	

Absent—Excused

Allen	Daniel
Baker of Grayson	Hamilton

SPECIAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee, in accordance with the provisions of House Simple Resolution No. 317, relative to Committee on Public Lands and Buildings: Messrs. Alsup, Morris, Shell, Stinson and Wood.

SENATE BILL NO. 373 ON SECOND READING

Mr. Worley moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, Senate Bill No. 373.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 373, A bill to be entitled "An Act providing for the sale of public lands along the eastern boundary of the State of Texas, and the western boundary of the State of Oklahoma, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 373 ON THIRD READING

Mr. Worley moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 373 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Alsup	Celaya
Anderson	Clark
Baker of Fort Bend	Cleveland
Bell	Cockrell
Blankenship	Coleman
Boethel	Colquitt
Bond	Colson, Mrs.
Boyd	Cornett
Boyer	Corry
Bradbury	Crossley
Bray	Daniel
Brown of Cherokee	Davis of Upshur
Brown of Nacogdoches	Derden
Bundy	Dickson
Burkett	Dickson
Burney	Donaghey
Cauthorn	Faulkner
	Felty
	Ferguson

Fuchs	Newell
Galbreath	Nicholson
Gilmer	Pace
Gordon, Mrs.	Petsch
Hale	Pevehouse
Hankamer	Pope
Hardeman	Ragsdale
Hardin	Reader of Bexar
Harp	Reader of Erath
Harrell of Bastrop	Reaves
Harrell of Lamar	Reed
Hartzog	Rhodes
Heflin	Riviere
Holland	Roach
Howard	Roberts
Howington	Robinson
Hull	Russell
Hunt	Schuenemann
Isaacks	Segrist
Johnson of Ellis	Shell
Johnson of Tarrant	Skiles
Kennedy	Smith of Frio
Kern	Smith of Hopkins
Kerr	Smith
Kersey	of Matagorda
Kinard	Stoll
King	Talbert
Langdon	Taylor
Lehman	Tennant
Leonard	Thornberry
Leyendecker	Thornton
Little	Turner
Lock	Vale
London	Vint
McDaniel	Voigt
McDonald	Waggoner
McFarland	Wells
McMurry	White
McNamara	Wilson
Mohrmann	Winfree
Monkhouse	Wood
Montgomery	Worley
Morris	Wright

Nays—3

Broadfoot	Weldon
Spencer	

Absent

Bailey	Keith
Bradford	Loggins
Bridgers	Mays
Chambers	McAlister
Davis of Jasper	Oliver
Dean	Piner
Dowell	Stinson
Fielden	Tarwater
Goodman	Westbrook
Harper	

Absent—Excused

Allen	Dwyer
Allison	Hamilton
Baker of Grayson	Harris

The Speaker then laid Senate Bill No. 373 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Alsup	Isaacks
Anderson	Johnson of Ellis
Baker	Johnson of Tarrant
of Fort Bend	Kennedy
Bell	Kern
Blankenship	Kerr
Boethel	Kersey
Bond	Kinard
Boyd	King
Boyer	Langdon
Bradbury	Lehman
Bray	Leonard
Brown of Cherokee	Leyendecker
Brown	Little
of Nacogdoches	Lock
Bundy	London
Burkett	McDaniel
Burney	McDonald
Cauthorn	McFarland
Celaya	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Montgomery
Colquitt	Morris
Colson, Mrs.	Newell
Cornett	Nicholson
Corry	Pace
Crossley	Petsch
Daniel	Pevehouse
Davis of Upshur	Pope
Derden	Ragsdale
Dickson	Reader of Bexar
Dickson	Reader of Erath
Donaghey	Reaves
Faulkner	Reed
Felty	Rhodes
Ferguson	Riviere
Fuchs	Roach
Galbreath	Roberts
Gilmer	Robinson
Gordon, Mrs.	Russell
Hale	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Skiles
Harp	Smith of Frio
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Smith
Hartzog	of Matagorda
Heflin	Stoll
Holland	Talbert
Howard	Taylor
Howington	Tennant
Hull	Thornberry
Hunt	Thornton

Turner	White
Vale	Wilson
Vint	Winfree
Voigt	Wood
Waggoner	Worley
Wells	Wright

Nays—3

Broadfoot	Weldon
Spencer	

Absent

Bailey	Keith
Bradford	Loggins
Bridgers	Mays
Chambers	McAlister
Davis of Jasper	Oliver
Dean	Piner
Dowell	Stinson
Fielden	Tarwater
Goodman	Westbrook
Harper	

Absent—Excused

Allen	Dwyer
Allison	Hamilton
Baker of Grayson	Harris

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 196, Suspending certain Joint Rules to consider House Bill No. 1031.

H. C. R. No. 195, Authorizing certain correction in House Bill No. 1078.

S. B. No. 298, "An Act setting out the authority of the Texas State Parks Board in all matters pertaining to land titles and interests, authorizing the acceptance, rejection, or reconveyance of park sites, and declaring an emergency"

S. B. No. 356, "An Act amending Article 2671 of the Revised Civil Statutes of Texas, as amended by Chapter 278, Acts of the Regular Session of the Forty-first Legislature, etc., and declaring an emergency."

S. B. No. 347, "An Act authorizing the State Parks Board to acquire, build and construct parkways, roads, bridges, etc., on Buchanan and Inks Lakes in Burnet, Travis, Llano, Lampasas, Williamson and San Saba Counties, etc., and declaring an emergency."

S. B. No. 462, "An Act amending Section 1, of Chapter 80, page 122,

Acts of the Forty-second Legislature, Regular Session, so as to more adequately define the powers of the Governor of Texas in appointing the members of the State Commission for the Blind, and declaring an emergency."

ADJOURNMENT

Mr. Hull moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Talbert moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, it was lost.

Question next recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The roll of the House was called, and a verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—71

Allison	Jonhson of Ellis
Alsop	Johnson of Tarrant
Anderson	Kennedy
Baker	Kinard
of Fort Bend	Leyendecker
Blankenship	Little
Boethel	Loggins
Bond	McAlister
Boyer	McDaniel
Bradford	McDonald
Bray	McFarland
Bundy	McMurry
Celaya	McNamara
Chambers	Monkhouse
Cockrell	Montgomery
Coleman	Nicholson
Colquitt	Pace
Corry	Ragsdale
Daniel	Reader of Bexar
Davis of Upshur	Reed
Dean	Rhodes
Dickison	Roach
Dickson	Roberts
Felty	Robinson
Ferguson	Russell
Fielden	Schuenemann
Hankamer	Segrist
Hardin	Shell
Harper	Smith of Hopkins
Hartzog	Smith
Heflin	of Matagorda
Howard	Stinson
Hull	Stoll

Tarwater	Winfree
Thornton	Worley
Vale	Wright
Vint	

Nays—64

Bailey	Kern
Bell	Kerr
Boyd	Kersey
Bradbury	King
Broadfoot	Langdon
Brown of Cherokee	Lehman
Brown	Leonard
of Nacogdoches	Lock
Burkett	London
Burney	Mohrmann
Cauthorn	Morris
Clark	Newell
Cleveland	Petsch
Colson, Mrs.	Pope
Cornett	Reader of Erath
Crossley	Reaves
Davis of Jasper	Riviere
Derden	Skiles
Dowell	Smith of Frio
Faulkner	Spencer
Fuchs	Talbert
Galbreath	Taylor
Gilmer	Tennant
Goodman	Thornberry
Gordon, Mrs.	Turner
Hale	Voigt
Hardeman	Waggoner
Harp	Weldon
Harrell of Bastrop	Wells
Holland	Westbrook
Howington	Wilson
Hunt	Wood
Isaacks	

Present—Not Voting

Donaghey

Absent

Bridgers	Oliver
Harrell of Lamar	Pevehouse
Keith	Piner
Mays	White

Absent—Excused

Allen	Hamilton
Baker of Grayson	Harris
Dwyer	

(Pending consideration of the verification, Mr. Worley occupied the Chair, temporarily.)

(Speaker in the Chair.)

The Speaker announced that the motion to adjourn prevailed, and the House, accordingly, at 5:00 o'clock

p. m., adjourned until 10:00 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:
Criminal Jurisprudence: House Bill No. 1133.

Counties: House Bill No. 1144.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 15, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 179, Granting A. J. Clingan permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 15, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 195, Authorizing the Enrolling Clerk of the House to correct the caption of House Bill No. 1078, making it conform to the body of the bill.

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, June 15, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 196, Suspending the Joint Rules of the House and Senate so that the House can take up and consider the deficiency Rural Aid Ap-

appropriation Bill for the 1938-1939 school year.

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

SENT TO GOVERNOR

June 15, 1939

House Bill No. 195

House Bill No. 865

House Bill No. 982

House Bill No. 1025

House Bill No. 864

House Bill No. 1130

House Bill No. 1040

House Concurrent Resolution No.
180.

In Memory of Hon. Will M. Martin

Mr. Hamilton offered the following resolution:

H. S. R. No. 322, In memory of Hon. Will M. Martin.

Whereas, The Members of the House of Representatives have learned with regret of the untimely and tragic death of former Senator Will M. Martin, an honored and esteemed citizen of Hill County; and

Whereas, His name is written upon the memorial pages of the Senate Journal, because of the excellent service he has rendered to the State of Texas as a valuable Member of the Texas Senate in 1928 and again in 1932, and in prominence in his own community; and

Whereas, During such service he was found to be always diligent, shrewd and painstaking, ready and willing to respond to the smallest as well as the more general appeal; ever present unless barred by illness; a true friend and a gentleman of the old school. He was born in Smith County, Texas, in 1882, and went to Hill County in 1898 where he attended Culberson's Select School in Hillsboro and taught school for ten years. He attended the University of Texas and was admitted to the bar in 1913 and began the practice of law. He served as County and District Attorney in Hill County for several years. He died in the hospital in Austin, Texas, June 14, 1939; now, therefore, be it

Resolved, That the Members of the Forty-sixth Legislature express their deepest regrets at the passing of this outstanding statesman and worthy citizen; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal, and when the House adjourns today that it do so in respect and in memory of the deceased; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send a suitable floral wreath and to send the family of the deceased copies of this resolution under the seal of the Chief Clerk of the House of Representatives.

HAMILTON,
PEVEHOUSE,
LANGDON,
READER of Bexar,
FAULKNER.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Boethel, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hankamer, Harde-
man, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohr-
mann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Pace, Petsch, Piner, Pope, Ragsdale, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Daniel, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.